

# EXHIBIT 4

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

ELECTRIC SOLIDUS, INC. d/b/a  
SWAN BITCOIN, a Delaware  
corporation,

Plaintiff,

v.

PROTON MANAGEMENT LTD., a  
British Virgin Islands corporation;  
THOMAS PATRICK FURLONG;  
ILIOS CORP., a California corporation;  
MICHAEL ALEXANDER HOLMES;  
RAFAEL DIAS MONTELEONE;  
SANTHIRAN NAIDOO; ENRIQUE  
ROMUALDEZ; and LUCAS  
VASONCELOS,

Defendants.

Case No. 2:24-cv-08280-MWC-E

**DEFENDANT PROTON  
MANAGEMENT LTD.'S  
SUPPLEMENTAL RESPONSES  
AND OBJECTIONS TO  
PLAINTIFF'S SECOND SET OF  
INTERROGATORIES**

Am. Complaint filed: January 27, 2025

1 PROPOUNDING PARTY: Plaintiff ELECTRIC SOLIDUS, INC.  
2 RESPONDING PARTY: Defendant PROTON MANAGEMENT LTD.  
3 SET NO.: Two (2)

4 Pursuant to Federal Rule of Civil Procedure 33, Defendant PROTON  
5 MANAGEMENT LTD. (“Responding Party”) submits these supplemental  
6 responses and objections to the Second Set of Special Interrogatories propounded by  
7 Plaintiff ELECTRIC SOLIDUS, INC. d/b/a SWAN BITCOIN (“Propounding  
8 Party”).

9 **PRELIMINARY STATEMENT**

10 The following responses are made solely for the purpose of, and in relation to,  
11 the Action. Each response is provided subject to all appropriate objections  
12 (including, without limitation, objections concerning competency, relevancy,  
13 materiality, propriety, and admissibility) that would require the exclusion of any  
14 statement contained herein if the statement were made by a witness present and  
15 testifying in court. All such objections and grounds therefor are reserved and may  
16 be interposed at the time of trial.

17 The following responses to the Interrogatories are based upon the facts and  
18 information presently known and available to Responding Party. Discovery,  
19 investigation, research, and analysis are still ongoing in this case and may disclose  
20 the existence of additional facts, add meaning to known facts, establish entirely new  
21 factual or legal contentions, or possibly lead to additions, variations, or changes to  
22 these responses. Without obligating itself to do so, Responding Party reserves the  
23 right to change or supplement these responses as additional facts are discovered,  
24 revealed, recalled, or otherwise ascertained, and as further analysis and research  
25 disclose additional facts, contentions, or legal theories which may apply.

26 **GENERAL OBJECTIONS TO SPECIAL INTERROGATORIES**

27 1. Responding Party objects to the Interrogatories in their entirety, and to  
28 each individual interrogatory therein, to the extent that they purport to require

1 Responding Party to provide information concerning persons or entities other than  
2 Responding Party, on the grounds that the Interrogatories, to that extent, are  
3 overbroad and seek information that is neither relevant to the subject matter of this  
4 Action nor reasonably calculated to lead to the discovery of admissible evidence, or  
5 if relevant, so remote therefrom as to make their disclosure of little or no practical  
6 benefit to Plaintiff, while placing an unwarranted and extreme burden and expense  
7 on Responding Party in ascertaining, gathering and providing such information.

8       2.     Responding Party objects to the Interrogatories in their entirety and to  
9 each individual interrogatory therein, to the extent that they seek information that is  
10 not relevant and does not appear reasonably calculated to lead to the discovery of  
11 admissible evidence.

12       3.     Responding Party objects to the Interrogatories in their entirety and to  
13 each individual interrogatory therein, to the extent that they purport to require  
14 Responding Party to provide information that is not within its possession, custody,  
15 or control.

16       4.     Responding Party objects to the Interrogatories in their entirety, and to  
17 each individual interrogatory therein, to the extent they purport to require  
18 Responding Party to provide information that has already been provided by parties  
19 in this Action, or that could be provided by parties to this Action, or non-parties.

20       5.     Responding Party objects to the Interrogatories in their entirety and to  
21 each individual interrogatory therein, to the extent that they are vague, ambiguous,  
22 and/or overbroad.

23       6.     Responding Party objects to the Interrogatories in their entirety and to  
24 each individual interrogatory therein, to the extent that they purport to require  
25 Responding Party to provide confidential business, financial, proprietary, or  
26 sensitive information without a protective order.

27       7.     Responding Party objects to the Interrogatories in their entirety, and to  
28 each individual interrogatory therein, to the extent they seek information prepared in

1 anticipation of, or in connection with this Action, or information protected from  
2 disclosure by the attorney-client privilege, the attorney work-product doctrine, or  
3 any other applicable privilege against disclosure.

4 8. Responding Party objects to the Definitions set forth in the  
5 Interrogatories to the extent that such definitions purport to impose requirements on  
6 Responding Party which differ from those set forth set forth in the Federal Rules of  
7 Civil Procedure.

8 9. Responding Party objects to the Definitions set forth in the  
9 Interrogatories to the extent that the definitions of the stated terms or phrases  
10 assume facts not in evidence or otherwise improperly or incorrectly define the stated  
11 terms or phrases.

12 10. The foregoing General Objections are, and shall be deemed to be,  
13 incorporated in full into each specific Interrogatory Response set forth below.

14 **OBJECTIONS TO DEFINITIONS**

15 1. Responding Party objects to the definition of “**Communication**” as  
16 overly broad, unduly burdensome, vague, ambiguous and unintelligible to the extent  
17 it includes “whether or not the Communication was ever disclosed, sent, or  
18 transmitted.” For purposes of responding to the Interrogatory, Responding Party will  
19 exclude the portion noted above from the definition of “**Communications**” in the  
20 Interrogatory, and interpret the otherwise overbroad definition not to impose a  
21 burden beyond what is required by the Federal Rules of Civil Procedure, the Federal  
22 Rules of Evidence, and the Local Civil Rules of the U.S. District Court for the  
23 Central District of California.

24 2. Responding Party objects to the definition of “**Documents**” as overly  
25 broad, unduly burdensome, vague, ambiguous and unintelligible to the extent it  
26 includes “whether or not the Communication was ever disclosed, sent, or  
27 transmitted.” For purposes of responding to the Interrogatory, Responding Party will  
28 exclude the portion noted above from the definition of “**Documents**” in the

1 Interrogatory, and interpret the otherwise overbroad definition not to impose a  
2 burden beyond what is required by the Federal Rules of Civil Procedure, the Federal  
3 Rules of Evidence, and the Local Civil Rules of the U.S. District Court for the  
4 Central District of California.

5 3. Responding Party object to the definition of “**Proton**” or “**You**” as  
6 overly broad, unduly burdensome, vague, ambiguous and unintelligible to the extent  
7 that it includes “any of its members, employees, representatives, officers, directors,  
8 managers, agents, attorneys, assigns, predecessors, affiliates, parents, subsidiaries,  
9 and any other entities or Persons acting or purporting to act on its behalf.” For  
10 purposes of responding to the Interrogatory, Responding Party will interpret  
11 “**Proton**” or “**You**” as referring to Defendant Proton Management Ltd.

12 4. Responding Party objects to the definition of “**Concern**” or  
13 “**Concerning**” as overly broad, unduly burdensome, vague, ambiguous and  
14 unintelligible. For purposes of responding to the Interrogatory, Responding Party  
15 will exclude the portion noted above from the definition of “**Concern**” or  
16 “**Concerning**” in the Interrogatory, and interpret the otherwise overbroad definition  
17 not to impose a burden beyond what is required by the Federal Rules of Civil  
18 Procedure, the Federal Rules of Evidence, and the Local Civil Rules of the U.S.  
19 District Court for the Central District of California.

20 5. Responding Party objects to the definition of “**Person**” or “**Persons**” as  
21 overly broad, unduly burdensome, vague, ambiguous and unintelligible. For  
22 purposes of responding to the Interrogatory, Responding Party will exclude the  
23 portion noted above from the definition of “**Person**” or “**Persons**” in the  
24 Interrogatory, and interpret the otherwise overbroad definition not to impose a  
25 burden beyond what is required by the Federal Rules of Civil Procedure, the Federal  
26 Rules of Evidence, and the Local Civil Rules of the U.S. District Court for the  
27 Central District of California.

28 6. Responding Party object to the definition of “**Swan**” as overly broad,

1 unduly burdensome, vague, ambiguous and unintelligible to the extent that it  
2 includes “any of its members, employees, representatives, officers, directors,  
3 managers, agents, attorneys, assigns, predecessors, affiliates, parents, subsidiaries,  
4 and any other entities or Persons acting or purporting to act on its behalf.” For  
5 purposes of responding to the Interrogatory, Responding Party will interpret “**Swan**”  
6 as referring to Plaintiff Electric Solidus, Inc. d/b/a Swan Bitcoin.

7 Responding Party objects to the definition of “**Swan’s Trade Secrets**” as  
8 overly broad, unduly burdensome, vague, and ambiguous, including as it purports to  
9 incorporate by reference “Swan’s Complaint” and “Swan’s Identification of  
10 Asserted Trade Secrets (dated February 14, 2025).

11 Responding Party objects to the definition of “**Swan’s BNOC**” as overly  
12 broad, unduly burdensome, vague, ambiguous and unintelligible including as it  
13 purports to incorporate “Paragraphs 73-79 of the Complaint”. Responding Party will  
14 interpret “**Swan’s BNOC**” as referring to the Bitcoin Network Operating Center  
15 dashboard developed for 2040 Energy Ltd., without any admission as to with respect  
16 to any claim that BNOC is proprietary to Propounding Party.

## 17 **RESPONSES TO SPECIAL INTERROGATORIES**

### 18 **SPECIAL INTERROGATORY NO. 6:**

19 Identify and describe all dashboards or monitoring systems that You use in  
20 connection with Your Bitcoin mining operations, including stating the basis for any  
21 contention that those systems differ from Swan’s BNOC or were independently  
22 developed or created.

### 23 **RESPONSE TO SPECIAL INTERROGATORY NO. 6:**

24 Responding Party incorporates by references the General Objections and  
25 Objections to Definitions as if fully set forth herein. Responding Party objects to  
26 this interrogatory to the extent that it seeks information that is protected from  
27 disclosure by the attorney-client privilege, work product doctrine, or any other  
28 applicable privilege or protection. Responding Party objects to this interrogatory to

1 the extent that it is unreasonably cumulative or duplicative of other interrogatories.  
2 Responding Party objects that this interrogatory is vague and ambiguous, including  
3 in its use of the phrase “Your Bitcoin mining operations”. Responding Party objects  
4 to this interrogatory to the extent that it purports to require Responding Party to  
5 produce information that contain trade secrets of Responding Party, or other  
6 confidential business, financial, proprietary, or sensitive information of Responding  
7 Party or third parties without entry of a satisfactory confidentiality order.  
8 Responding Party further objects to this interrogatory on the grounds that  
9 Propounding Party has failed to comply with Cal. Civ. Proc. Code § 2019.210,  
10 which requires Propounding Party to identify with reasonable particularity the trade  
11 secrets it alleges that any defendant misappropriated before commencing discovery,  
12 as required by Section H of the Court’s Scheduling Order (Dkt. 95).

13 **SPECIAL INTERROGATORY NO. 7:**

14 Identify all persons who have been or are engaged to do work on Your behalf  
15 related to Bitcoin mining, including identifying (i) the name of each person; (ii) each  
16 person’s title, roles, and responsibilities; (iii) where each person resides; and (iv)  
17 dates during which that person has been engaged by You.

18 **SUPPLEMENTAL RESPONSE TO SPECIAL INTERROGATORY NO. 7:**

19 Responding Party objects to this interrogatory to the extent that it seeks  
20 information that is protected from disclosure by the attorney-client privilege, work  
21 product doctrine, or any other applicable privilege or protection. Responding Party  
22 also objects to this interrogatory’s demand as being compound, overbroad, overly  
23 burdensome, and harassing, and as seeking documents that are not relevant to the  
24 claims or defenses in this action. Responding Party further objects to this  
25 interrogatory on the grounds that it is vague, overbroad and subjects Responding  
26 Party to unreasonable and undue burden and expense. Responding Party objects to  
27 this interrogatory to the extent that it purports to require Responding Party to  
28 produce information that contain confidential business, financial, proprietary, or



1 sensitive information of Responding Party or third parties without entry of a  
2 satisfactory confidentiality order. Responding Party objects that this interrogatory is  
3 vague and ambiguous and overbroad, including in its use of the phrase “Your.”  
4 Responding Party will interpret “Your” to mean Proton Management Ltd.

5 Subject to and without waiving the foregoing objections, Responding Party  
6 responds as follows: Pursuant to Federal Rule of Civil Procedure 33(d), Responding  
7 Party refers Plaintiff to the documents in its forthcoming production of documents  
8 that show the information sought by this interrogatory.

9 **SPECIAL INTERROGATORY NO. 8:**

10 For every occasion in which You and/or Your employees, consultants, or  
11 agents have accessed, disclosed, and/or used any Document reflecting or  
12 incorporating Swan’s Trade Secrets, identify the date, time, method of access,  
13 disclosure, and/or use, and specific material accessed, disclosed, and/or used.

14 **RESPONSE TO SPECIAL INTERROGATORY NO. 8:**

15 Responding Party incorporates by references the General Objections and  
16 Objections to Definitions as if fully set forth herein. Responding Party objects to  
17 this interrogatory to the extent that it seeks information that is protected from  
18 disclosure by the attorney-client privilege, work product doctrine, or any other  
19 applicable privilege or protection. Responding Party also objects to this  
20 interrogatory’s demand as being compound, overbroad, overly burdensome, and  
21 harassing, and as seeking documents that are not relevant to the claims or defenses  
22 in this action. Responding Party further objects to this interrogatory on the grounds  
23 that it is vague, overbroad and subjects Responding Party to unreasonable and undue  
24 burden and expense. Responding Party also objects to this interrogatory on the  
25 grounds and to the extent that it seeks information that is not in the possession,  
26 custody or control of Responding Party and/or is equally or more readily available  
27 from another source which is more convenient, less burdensome, or less expensive.  
28 Responding Party objects to this interrogatory to the extent that it is unreasonably

1 cumulative or duplicative of other interrogatories. Responding Party objects to this  
2 interrogatory to the extent that it purports to require Responding Party to produce  
3 information that contain trade secrets of Responding Party, or other confidential  
4 business, financial, proprietary, or sensitive information of Responding Party or  
5 third parties without entry of a satisfactory confidentiality order. Responding Party  
6 further objects to this interrogatory on the grounds that Propounding Party has failed  
7 to comply with Cal. Civ. Proc. Code § 2019.210, which requires Propounding Party  
8 to identify with reasonable particularity the trade secrets it alleges that any defendant  
9 misappropriated before commencing discovery, as required by Section H of the  
10 Court's Scheduling Order (Dkt. 95).

11 **SPECIAL INTERROGATORY NO. 9:**

12 Describe how You came to be in possession of any Swan Trade Secret,  
13 including by identifying any Documents or Communications providing possession  
14 to You.

15 **RESPONSE TO SPECIAL INTERROGATORY NO. 9:**

16 Responding Party incorporates by references the General Objections and  
17 Objections to Definitions as if fully set forth herein. Responding Party objects to  
18 this interrogatory to the extent that it seeks information that is protected from  
19 disclosure by the attorney-client privilege, work product doctrine, or any other  
20 applicable privilege or protection. Responding Party also objects to this  
21 interrogatory's demand as being compound, overbroad, overly burdensome, and  
22 harassing. Responding Party further objects to this interrogatory on the grounds that  
23 it is vague, overbroad and subjects Responding Party to unreasonable and undue  
24 burden and expense. Responding Party also objects to this interrogatory on the  
25 grounds and to the extent that it seeks information that is not in the possession,  
26 custody or control of Responding Party and/or is equally or more readily available  
27 from another source which is more convenient, less burdensome, or less expensive.  
28 Responding Party objects to this interrogatory to the extent that it is unreasonably

1 cumulative or duplicative of other interrogatories. Responding Party also objects to  
2 this interrogatory to “Identify all persons” on the grounds that it is overbroad and  
3 subjects Responding Party to unreasonable and undue annoyance, oppression,  
4 burden, and expense. Responding Party objects to this interrogatory to the extent  
5 that it purports to require Responding Party to produce information that contain  
6 trade secrets of Responding Party, or other confidential business, financial,  
7 proprietary, or sensitive information of Responding Party or third parties without  
8 entry of a satisfactory confidentiality order. Responding Party further objects to this  
9 interrogatory on the grounds that Propounding Party has failed to comply with Cal.  
10 Civ. Proc. Code § 2019.210, which requires Propounding Party to identify with  
11 reasonable particularity the trade secrets it alleges that any defendant  
12 misappropriated before commencing discovery, as required by Section H of the  
13 Court’s Scheduling Order (Dkt. 95).

14 **SPECIAL INTERROGATORY NO. 10:**

15 Describe all devices and all ephemeral messaging applications on those  
16 devices (including, but not limited to, Signal, Telegram, and WhatsApp) that You or  
17 any of Your employees, consultants, or agents uses or has used to discuss Bitcoin  
18 mining operations that You manage, operate, monitor, or otherwise oversee.

19 **SUPPLEMENTAL RESPONSE TO SPECIAL INTERROGATORY NO. 10:**

20 Responding Party incorporates by references the General Objections and  
21 Objections to Definitions as if fully set forth herein. Responding Party objects to  
22 this interrogatory to the extent that it seeks information that is protected from  
23 disclosure by the attorney-client privilege, work product doctrine, or any other  
24 applicable privilege or protection. Responding Party also objects to this  
25 interrogatory’s demand as being compound, overbroad, overly burdensome, and  
26 harassing, and as seeking documents that are not relevant to the claims or defenses  
27 in this action. Responding Party further objects to this interrogatory on the grounds  
28 that it is vague, overbroad and subjects Responding Party to unreasonable and undue

1 burden and expense. Responding Party also objects to this interrogatory on the  
2 grounds and to the extent that it seeks information that is not in the possession,  
3 custody or control of Responding Party. Responding Party objects that this  
4 interrogatory is vague and ambiguous, including in its use of the phrase “ephemeral  
5 messaging applications.”

6 Subject to and without waiving the foregoing objections, Responding Party  
7 responds as follows: Individuals providing services to Proton use computers  
8 provided by Proton and may use their personal mobile phones to discuss the services  
9 related to Bitcoin mining that Proton provides. The messaging applications used by  
10 Proton and the individuals providing services to Proton include Signal, Telegram,  
11 MatterMost, and WhatsApp, however it is not Proton’s policy to have messaging  
12 applications set for ephemeral messaging.

13  
14  
15  
16 Dated: April 25, 2025

BERGESON, LLP

17  
18  
19 By: /s/ Adam C. Trigg  
Adam C. Trigg

20 Attorneys for Defendant  
21 PROTON MANAGEMENT LTD.  
22  
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27  
28

**PROOF OF SERVICE**

I, Adam Trigg, declare as follows:

I am an employee in Santa Clara County, the county in which the service described below occurs. My business address is 111 N. Market Street, Suite 600, San Jose, California 95113. I am over the age of eighteen (18) years and am not a party to the cause for which I am serving the document(s) named below.

I hereby certify that on April 25, 2025, I served the following document(s) described as **DEFENDANT PROTON MANAGEMENT LTD.'S SUPPLEMENTAL RESPONSES AND OBJECTIONS TO PLAINTIFF'S SECOND SET OF INTERROGATORIES** on the parties listed in the **SERVICE LIST** a true copy thereof and served via electronically as follows:

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused such document to be sent by other electronic means to the person(s) consented to in writing—in either of which events service is complete upon filing or sending. FRCP Title II, §5(b)(2)(E).

Executed on April 25, 2025, at San Jose, California.

  
Adam C. Trigg

**SERVICE LIST**

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